

By: Ellis

S.B. No. 418

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a notification requirement if a public school campus or
3 open-enrollment charter school does not have a nurse assigned to
4 the campus during all instructional hours.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter A, Chapter 38, Education Code, is
7 amended by adding Section 38.021 to read as follows:

8 Sec. 38.021. PARENTAL NOTIFICATION CONCERNING NURSES. (a)

9 In this section, "nurse" means a nurse licensed under Chapter 301,
10 Occupations Code.

11 (b) A public school, including an open-enrollment charter
12 school, that does not have a full-time nurse or the equivalent of a
13 full-time nurse assigned to be present on the campus for more than
14 30 consecutive instructional days during the same school year shall
15 provide written notice of the absence of a nurse to the parent of or
16 other person standing in parental relation to each student enrolled
17 in the school.

18 (c) A school has the equivalent of a full-time nurse under
19 Subsection (b) if the school has two or more nurses assigned to the
20 school and those nurses' combined presence covers all regular
21 student instructional hours at a campus during the regular school
22 day.

23 (d) The principal of the school shall provide the notice
24 required by Subsection (b) not later than the 30th instructional

1 day after the first day the school does not have a full-time nurse
2 assigned to be present on the campus.

3 (e) The school shall:

4 (1) make a good faith effort to ensure that the notice
5 required by this section is provided in a bilingual form to any
6 parent or other person standing in parental relation whose primary
7 language is not English; and

8 (2) retain a copy of any notice provided under this
9 section.

10 SECTION 2. This Act applies beginning with the 2013-2014
11 school year.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2013.